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21 Attorneys for Defendants
22 Kaiser Foundation Health Plan, Inc., and Kaiser
23 Permanente Welfare Benefit Plan

24 UNITED STATES DISTRICT COURT
25 NORTHERN DISTRICT OF CALIFORNIA

26 MARIE CHELLINO,
27 Plaintiff,

28 v.

KAISER FOUNDATION HEALTH
PLAN, INC., a corporation; DOES 1
through 10, inclusive,
Defendants.

CASE NO. C 07-3019 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE THE HEARING
DATE AND RELATED BRIEFING
SCHEDULE FOR PLAINTIFF'S MOTION
FOR ATTORNEY FEES**

Defendants Kaiser Foundation Health Plan, Inc. and Kaiser Permanente Welfare Benefit Plan (collectively "Defendants") and Plaintiff Marie Chellino ("Plaintiff") through their respective counsel of record herein, hereby stipulate as follows:

WHEREAS, on December 18, 2009, Plaintiff filed her motion for attorney fees, which

1 was scheduled for hearing January 22, 2010;

2 WHEREAS, pursuant to the Northern District Civil Local Rules, Defendants' opposition
3 to plaintiff's motion for attorney fees must be filed by January 1, 2010;

4 WHEREAS, Rebecca A. Hull, lead counsel for Defendants, will be out of the office due
5 to a pre-planned vacation during the week of December 28, 2009 through January 1, 2010;

6 NOW, THEREFORE, Plaintiff and Defendants hereby agree and stipulate and
7 respectfully request the Court as follows:

8 That the hearing for Plaintiff's motion for attorney fees be continued two weeks to
9 February 5, 2010.

10 SO STIPULATED AND AGREED AND RESPECTFULLY REQUESTED:

11 DATED: December 28, 2009 THE FLEISHMAN LAW FIRM

12
13 By: /s/ Charles J. Fleishman (permission granted 12/28/09)

14 Charles J. Fleishman
15 Paul A. Fleishman
16 Attorneys for Plaintiff
Marie Chellino

17 DATED: December 28, 2009 SEDGWICK, DETERT, MORAN & ARNOLD LLP

18
19 By: /s/ Erin A. Cornell

20 Rebecca A. Hull
21 Erin A. Cornell
22 Attorneys for Defendant
Kaiser Foundation Health Plan, Inc., and Kaiser
23 Permanente Welfare Benefit Plan

24 **ORDER**

25 Pursuant to the parties' Stipulation and good cause found herein, the Court hereby
26 continues the hearing date for Plaintiff's motion for attorney fees two weeks to February 5, 2010.

27 DATED: **DEC 31 2009**

28 
HONORABLE CHARLES R. BREYER